

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Jorge E. Ordonez Maluf,
Plaintiff(s),
vs.
Bergelectric Corp,
Defendant(s).

2:23-cv-00115-CDS-MDC

Order pertaining to the May 21, 2024 hearing (ECF No. 38)

Bergelectric Corp,

Defendant(s).

The Court held a hearing on defendant Bergelectric Corp's *motions to compel* and to *extend time*. No. 29, 30, and 31. The Court heard arguments from the defendant and from the plaintiff, Jorge E. rez Maluf, who is representing himself *pro se*. ECF No. 38.

It is so ordered, as stated at the hearing:

1. Defendant's motions to *compel* and to *extend time* (ECF No. 29, 30, and 31) are all granted, except that the defendant's request for sanctions is denied at this time.
2. The Court warned plaintiff on the record that it may impose sanctions on him in the future if he does not cooperate in discovery.
3. Plaintiff must appear at the scheduled deposition on May 13, 2024.
4. The defendant must provide a translator for the plaintiff at the deposition.
5. The discovery deadline is extended to May 14, 2024, for the sole purpose of completing the plaintiff's deposition. The parties may not engage in any other discovery.
6. Dispositive motions are due sixty days after the May 14, 2024, close of discovery.
7. The deadline for the joint pretrial order is 30 days after the dispositive-motion deadline. If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.

8. The disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections to them must be included in the joint pretrial order.

NOTICE

Pursuant to Local Rules IB 3-1 and IB 3-2, a party may object to orders and reports and recommendations issued by the magistrate judge. Objections must be in writing and filed with the Clerk of the Court within fourteen days. LR IB 3-1, 3-2. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file objections within the specified time and (2) failure to properly address and brief the objectionable issues waives the right to appeal the District Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Pursuant to LR IA 3-1, the plaintiff must immediately file written notification with the court of any change of address. The notification must include proof of service upon each opposing party's attorney, or upon the opposing party if the party is unrepresented by counsel. Failure to comply with this order may result in dismissal of this case.

It is so ordered.

Dated this 21st day of March 2024.

Maximiliano D. Couvillier III
United States Magistrate Judge

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